

IN THE UNITED STATE DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

FILED IN CLERK'S OFFICE  
U.S.D.C. Atlanta

DEC 22 2009

JAMES M. HATTEN, Clerk  
By: *[Signature]* Deputy Clerk

SARAH C. DOZIER, as Administrator of )  
the Estate of KATHRYN JOHNSTON, )

Plaintiff, )

v. )

CITY OF ATLANTA, et al. )

Defendants. )

CIVIL ACTION FILE  
NO.1:08CV00007-MHS

**AFFIDAVIT OF WILBERT T. STALLINGS**

THE UNDERSIGNED, being first duly sworn, deposes and says:

1.

I am 21 years of age or older and have the capacity to make this affidavit.

2.

I served the Atlanta Police Department for twenty-three (23) years as a patrol officer and a sergeant. I was transferred as a Sergeant to the Narcotics Unit in the latter part of 1998. I did not receive any formal training when I joined the Narcotics Unit but was advised to learn as I go.

3.

When I transferred to the Narcotics Unit, there was a numbers system in place requiring each team member to have ten arrests and two search warrants each

month. There were approximately six investigators per team. This policy was verbally communicated and well known throughout the Narcotics Unit.

4.

Lieutenant S. Savage was in charge when I joined the Narcotics Unit. He held monthly meetings to discuss unit concerns such as lead sheets and the number of arrests per team. Lead sheets were used by the Narcotics Unit to direct teams to areas of concern.

5.

Lieutenant E.N. Finley replaced Lieutenant S. Savage as the head of the Narcotics Unit sometime in September 2001. Lieutenant Finley had previously worked in the Narcotics Unit as a Team Sergeant. When Lieutenant Finley took over the Narcotics Unit, some of the veteran investigators transferred out or were forced to transfer to other units. He changed the periodic meetings to weekly meetings and wrote memorandums laying out the minimum numbers that would be acceptable per investigator, one particular memorandum was the "9 and 2", which involved each investigator being responsible for nine arrests and two search warrants per month.

6.

In order to generate greater arrest numbers, Lieutenant Finley would operate details. Details would last one to two weeks and all scheduled off days would be

cancelled during the detail. Typically, we would make three to four hundred arrests per detail.

7.

Lieutenant Finley held a unit meeting to announce the development of buy teams where specific investigators would make buys and distribute them to other investigators so they could obtain search warrants. It was at this time that many of the veteran investigators began leaving the Narcotics Unit and the number of Narcotics Teams was reduced.

8.

I did not feel pressure as a Team Sergeant to make arrests or obtain search warrants until Lieutenant Finley took over control of the Narcotics Unit.

9.

Lieutenant Finley constantly pushed details and was only interested in making arrests. Under his "Zero Tolerance Detail" policy, if a single hit of crack was discovered and twenty people were in the room, all twenty persons would be arrested.

10.

At supervisor meetings, Lieutenant Finley would direct us to increase arrests and obtain search warrants in the Zones considered to have high drug activity. He

also instructed the supervisors if an investigator had low numbers and did not bring them up, his work hours/or assignment might change.

11.

Lieutenant Finley actively discouraged Narcotics Teams from utilizing investigative methods such as controlled deliveries because they took too much time and did not generate numbers. He was truly only interested in generating arrests and search warrants.

12.

Specifically, on one occasion Gregg Junnier was disciplined for taking approved vacation, which consequently led to fewer numbers of arrests than Lieutenant Finley desired. When Junnier returned from vacation, Lieutenant Finley directed that Junnier be placed in the unit marked police cruiser as an arrest officer for the unit, to show Junnier he was not pleased.

13.

While assigned to the Narcotics Unit, lack of equipment such as undercover vehicles and recorders was a major safety issue. The Narcotics Unit had been using the same vehicles prior to my arrival and continued on for several years. These vehicles were used to make undercover buys, conduct surveillance, make raids, and even used to go to court to prosecute the defendant. The vehicles would later be given to another investigator, not aware of the prior investigator(s) use of

the vehicle. As a result of this, I along with other investigators would use our personal vehicle to facilitate these transactions. Both Lieutenant Savage and Lieutenant Finley were aware of this practice. Lieutenant Browning put an end to this practice in late 2003 or early 2004.

14.

When Lieutenant R. Browning took over control of the Narcotics Unit, he attempted to move away from the numbers system. The number of details decreased but because of COBRA meetings arrests and search warrants issued were still a concern.

15.

Lt. S. Gibbs took over the Narcotics Unit after Lieutenant Browning left. In the latter part of 2006, the Narcotics Unit began doing details again because of reduction in the number of arrests being made.

FURTHER AFFIANT SAYETH NOT

Sworn to and subscribed before  
me this 12 day of November  
2009.

  
WILBERT T. STALLINGS.

  
Notary Public, State of Georgia

My Commission Expires:

9-6-10

